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9	UNITED STATES DISTRICT COURT
10	NORTHERN DISTRICT OF CALIFORNIA
11	SAN FRANCISCO DIVISION
12	
13	UNITED STATES OF AMERICA, ) No. CR 10-0348 MHP
14	Plaintiff,
15	v. ) <del>[PROPOSED]</del> ORDER EXCLUDING TIME FROM JULY 19, 2010 TO SEPTEMBER 13, 2010
16	CARLOS ASPRILLA,
17	Defendant.
18	
19	The parties appeared before the Honorable Marilyn Hall Patel on June 28, 2010 for the
20	parties' initial appearance before the district court. At that time, the parties set the matter over
21	for a further status to be held on July 19, 2010. However, defense counsel has not yet completed
22	her necessary investigation in this case. Further, because of personal and professional
23	commitments, defense counsel will be not available until September 13, 2010 for a status
24	hearing. As such, with the agreement of counsel for both parties and the defendant, the Court
25	now finds as follows:
26	1. The July 19, 2010 status hearing is rescheduled to September 13, 2010.
27	2. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C.
28	§ 3161, from July 19, 2010 to September 13, 2010. Failure to grant the requested continuance
	ORDER EXCLUDING TIME CR 10-0348 MHP

would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for defense counsel to conduct necessary investigative tasks.

- 3. Given these circumstances, the Court found that the ends of justice served by excluding the period from July 19, 2010 to September 13, 2010, outweigh the best interest of the public and the defendant in a speedy trial and filing of an indictment or information. 18 U.S.C. § 3161(h)(7)(A).
- 4. Accordingly, and with the consent of the defendant, the Court ordered that the period from July 19, 2010 to September 13, 2010, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: July 15, 2010

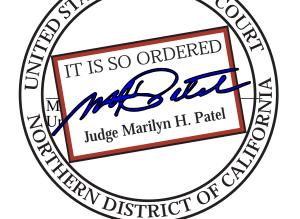
DEBORAH LEVINE Counsel for Carlos Asprilla

DATED: July 15, 2010

BRIAN C. LEWIS
Assistant United States Attorney

IT IS SO ORDERED.

DATED: \_7/16/2010



ORDER EXCLUDING TIME CR 10-0348 MHP